

**Senate Bill No. 436**

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Passed the Senate September 12, 2013

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*Secretary of the Senate*

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Passed the Assembly September 12, 2013

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act relating to environmental quality, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

SB 436, Jackson. Port Hueneme Beach shoreline protection.

Under existing law, the Division of Boating and Waterways has powers and duties pertaining to beach erosion control, beach stabilization, and beach repair and restoration.

Existing law establishes the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund, a special fund available upon appropriation by the Legislature, for purposes of parks and resources improvement. The fund makes moneys available to the State Coastal Conservancy for specified and related purposes, including, but not limited to, the acquisition, enhancement, restoration, protection, and development of coastal resources, beaches, waterfronts, and public accessways, as specified.

Existing law establishes the Harbors and Watercraft Revolving Fund, a special fund available upon appropriation by the Legislature, for purposes, among other things, of the operation and maintenance of units of the state park system that have boating-related activities.

This bill would appropriate \$1,000,000 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund to the State Coastal Conservancy for a grant to the City of Port Hueneme. The bill would require funding be allocated for emergency measures along Hueneme Beach in the City of Port Hueneme to prevent severe infrastructure damage to streets and property caused by beach erosion and flooding, thereby making an appropriation. The bill would require, if the above projects concerning emergency measures are not eligible for the bond moneys, that, \$1,000,000 from the Harbors and Watercraft Fund be allocated by either loan or grant to the City of Port Hueneme for emergency measures to prevent severe infrastructure

damage to streets and property located along Hueneme Beach caused by erosion and flooding, thereby making an appropriation.

This bill would make findings and declarations as to the necessity of a special statute for Hueneme Beach.

This bill would become operative only if AB 606 is enacted and takes effect on or before January 1, 2014.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares both of the following:

(a) Funds are needed immediately for the City of Port Hueneme to implement emergency measures to prevent significant damage caused by severe erosion at Hueneme Beach to public infrastructure, public roads that include a route identified by the Federal Emergency Management Agency as feeding into a tsunami evacuation route, and community areas.

(b) These funds are also needed to prevent down coast negative impacts to the Ormond Beach Wetlands, a sensitive and ecologically important public resource, to ensure that the environmental quality of this unique estuary is protected.

(c) Given the sizeable waste that remains at the Halaco Superfund Site, these funds are also critically needed to prevent downshore erosion.

SEC. 2. (a) Notwithstanding any other law, the sum of one million dollars (\$1,000,000) is hereby appropriated from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund to the State Coastal Conservancy for a grant to the City of Port Hueneme. The funding shall be allocated, pursuant to subdivision (o) of Section 5096.310 of the Public Resources Code, for emergency measures to prevent severe infrastructure damage to streets and property located along the Hueneme Beach caused by beach erosion and flooding. This appropriation shall only be used for erosion control projects for which a permit has been approved by the California Coastal Commission.

(b) Notwithstanding Section 85.2 of the Harbors and Navigation Code, if the California Coastal Commission requires a project that is not eligible for funding under subdivision (a), the sum of one million dollars (\$1,000,000) shall be allocated by either loan or grant from the Harbors and Watercraft Revolving Fund for a grant or loan to the City of Port Hueneme. The funding shall be available for emergency measures to prevent severe infrastructure damage to streets and property located along Hueneme Beach caused by beach erosion and flooding. This appropriation shall only be used for erosion control projects for which a permit has been approved by the California Coastal Commission.

SEC. 3. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the severe erosion occurring at Hueneme Beach that threatens public infrastructure, public roads, and community areas.

SEC. 4. This act shall become operative only if Assembly Bill 606 is enacted and takes effect on or before January 1, 2014.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

To provide the necessary funding as soon as possible to implement emergency measures designed to prevent severe infrastructure damage to public infrastructure, public roads, and community areas threatened by flooding as a result of severe erosion along Hueneme Beach in the City of Port Hueneme, it is necessary for this measure to take effect immediately.







Approved \_\_\_\_\_, 2013

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*Governor*